OIPE IAP53 OCT 30 2006 PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Martin BAUMERT et al.

Serial No.: 10/804,191 Group Art Unit: 1772

Filed: March 19, 2004 Examiner: Walter Aughenbaugh

For: MULTILAYER STRUCTURE BASED ON POLYAMIDES AND GRAFT COPOLYMERS HAVING POLYAMIDE BLOCKS

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

☐ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:

- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
- ☐ within three months of the actual filing date of the national phase of a PCT application; OR
- ☐ before the mailing of a first substantive office action (including after filing of an RCE).

☒ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:

a final rejection under 37 C.F.R. 1.113;
termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
a notice of allowance under 37 C.F.R. § 1.311; and

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03 FC:1806 180.00 OP

ATOCM-0349

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is accompanied by:

☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR

☒ a check covering the fee of $180.00 under 37 C.F.R. § 1.17(p).

☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:

☐ a final action under 37 C.F.R. § 1.113;

☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);

☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of $180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).

☐ Copies of materials listed but not attached were cited in an international search report dated _____.

☐ Not required by 37 CFR § 1.98.

☒ Copies of the materials listed are attached (except for the foregoing).

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Non-English Language References

☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone
Y = document of particular relevance when it is combined with another such document
A = document defining the general state of the art
O = non-written disclosure
P = intercalated document
T = document cited to understand the theory or principle underlying the invention
E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date
D = cited in the application
L = cited for another reason
& = publication of member of same patent family

☐ Translation of other relevant information on foreign search report

Other Information

☒ US 2003/0152725 corresponds to EP 0 935 423.

Payment of Fees Due (If Any):

☒ A check for $180.00 covering the fee identified above is attached.

☐ Please charge to Deposit Account No. 13-3402 $_____ for the fee identified above.

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☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Brion P. Heaney, Reg. No. 32,542
Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: ATOCM-0349

Date: October 30, 2006

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known	
Application Number	10/804,191
Filing Date	March 19, 2004
First Named Inventor	Martin BAUMERT et al.
Group Art Unit	1772
Examiner Name	Walter Aughenbaugh
Attorney Docket Number	ATOCM-0349

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No.[1]	U.S. Patent Document Number	Kind Code[2] (*if known*)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	1	2002/0082352 A1		Schmitz et al.	06-27-2002
	2	6,875,520 B2		Court et al.	04-05-2005
	3	2003/0152725 A1		Delius et al.	08-14-2003

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Office[3]	Number[4]	Kind Code[5] (*if known*)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
	4	EP	0 935 423	B1	Kalle Nalo GmbH & Co.	08-18-1999		Cite 3
	5	RU	2 156 782	C1	Obshchestvo S Organichennoj	09-27-2000		Cite 6

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[1] Unique citation designation number. [2] See attached Kinds of U.S. Patent Documents. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Group Art Unit	1772
Examiner Name	Walter Aughenbaugh
Attorney Docket Number	ATOCM-0349

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	6	Abstract of RU 2 156 782 C1, Borodaev et al. "Thermoplastic polymeric composition".	
		RU 2 156 782 C1 Reference published 9/27/2000	

Examiner Signature	/Walter Aughenbaugh/	Date Considered	09/17/2010

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[1] Unique citation designation number. [2] Applicant is to place a check mark here if English language Translation is attached.

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